

43-126-2
4
6-11
13-36
38-44
NO TRANSFER
TAX PAID

DEED, BILL OF SALE and ASSIGNMENT

021623

GERRITY COMPANY, INC., a Delaware corporation, with offices in Gorham, Maine, as foreclosing mortgagee pursuant to 14 M.R.S.A. §6203-A et seq, for consideration paid, hereby grant to GERRITY COMPANY, INC. of Gorham, Maine as highest bidder at the public foreclosure auction held on July 16, 1992, the following condominium units in the City of Waterville, County of Kennebec and State of Maine:

Units 2, 4, 6-11, 13-36, 38-44 in the AVERILL CONDOMINIUM, as described in the Averill Condominium Declaration dated December 19, 1988 and recorded in the Kennebec County Registry of Deeds in Book 3480, Page 1, and as shown on the Plats and Plans recorded in File E-88308 through E-88314, as these condominium documents may have been amended.

TOGETHER WITH any and all limited common elements, rights, easements, privileges and appurtenances belonging to the Units described above and any personal property of Grantor located in any of these Units or anywhere on the condominium site.

SUBJECT HOWEVER, to the terms, conditions, agreements, covenants, restrictions, obligations and easements referred to in the Averill Condominium Declaration described above.

TOGETHER WITH all Development Rights, Declarant Rights and Special Declarant Rights described in the Maine Condominium Act and as described in Article 7 of the Averill Condominium Declaration; all rights of Declarant control as set forth in Article 8 of the Declaration; and any and all other rights of the Declarant pursuant to Maine Law.

FURTHER SUBJECT, HOWEVER, to the following:

1. CMP Easement for 300 foot underground cable from Pole 14.1 on Oakland Street to PAD Transformer 14.2 in southerly direction dated June 10, 1988 and recorded in the Kennebec County Registry of Deeds in Book 3415, Page 7.
2. Easement to Waterville Sewage District dated November 15, 1988 and recorded in the Kennebec county Registry of Deeds in Book 3465, Page 269.

3. Rights of any and all existing tenants in the 39 Units.
4. Outstanding real estate taxes due the City of Waterville for 1990-1992.

ALSO, all right, title and interest of Averill Apts., Inc. in and to any and all inventory, equipment, machinery, furniture and furnishings, fixtures and articles of personal property fixed to, placed upon, or used in connection with the operation of the units.

ALSO, all rights of Averill Apts., Inc., as landlord, in any and all tenancies described in the Assignment of Leases dated February 25, 1988 and recorded in Book 3309, Page 290.

Being the same units created by Averill Apts., Inc. by Declaration of Condominium dated December 19, 1988, and recorded in Book 3480, Page 1, on real estate which it acquired by Deed from Lorraine J. Diversi dated January 22, 1988 and recorded in Book 3309, Page 278, EXCEPT Units 37, 5, 12, 1 and 3 as conveyed by deeds recorded in Book 3500, Page 167; Book 3500, Page 175; Book 3520, Page 292; Book 3531, Page 34; and Book 3563, Page 267 respectively. Further reference is made to a Mortgage Deed given to Gerrity Company, Inc., et al dated February 25, 1988, and recorded in Book 3309, Page 280, a Mortgage Deed given to Gerrity Company, Inc., et al dated October 18, 1988, and recorded in Book 3458, Page 206, and a Mortgage Deed dated December 2, 1988, and recorded in Book 3470, Page 98, as assigned to Gerrity Company, Inc. by Assignment dated December 13, 1988, recorded in Book 3477, Page 258. Further reference is made to a deed to Gerrity Company, Inc. dated October 3, 1991, and recorded in Book 3989, Page 80, as rerecorded in Book 4057, Page 32, to a Notice on Declarant Rights dated March 25, 1992 recorded in Book 4098, Page 110, and to a Notice of Mortgagee's Sale of Real Estate recorded in the Kennebec County Registry of Deeds in Book 4152, Page 344.

43-126-2
4
6-11
13-36
38-44

43-126-2
-4
-6-11
-13-36
-38-4

TRANSFEREE'S ACCEPTANCE

GERRITY COMPANY, INC., as Transferee of the Special Declarant Rights, Development Rights, and all other rights of Declarant described above, hereby executes this document pursuant to Section 1603-104(a) of the Maine Condominium Act.

GERRITY COMPANY, INC.

By:

Peter F. Gerrity
Peter F. Gerrity
Its Vice-President

Dated this 31st day of July, 1992.

GERRITY COMPANY, INC.

By:

Peter F. Gerrity
Peter F. Gerrity
Its Vice-President

State of Maine
County of Cumberland

July 31,, 1992

Personally appeared the above named Peter F. Gerrity, Vice-President and acknowledged that the foregoing instrument is his free act and deed and the free act and deed of Gerrity Company, Inc.

Before me,

SEAL

Dennis P. Burns
Notary Public

DENNIS P. BURNS
(type or print name)

DENNIS P. BURNS
NOTARY PUBLIC, MAINE
MY COMMISSION EXPIRES DECEMBER 1, 1993

CSN/D34210.ADO

RECEIVED KENNEBEC SS.

1992 AUG -5 AM 9:00

ATTEST: *Richard B. Burns*
REGISTER OF DEEDS